

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Jean-Pierre Giraud

Group Art Unit: To Be Assigned

Serial No.: 09/865,792

Examiner: Steven Pollard

Filed: May 25, 2001

Attorney Docket No.: 5094.056

For: **A DUAL WALL INSULATED CUP  
ASSEMBLY AND METHOD OF  
MANUFACTURING AN  
INSULATED CUP ASSEMBLY**PRELIMINARY AMENDMENT

The Assistant Commissioner  
for Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

AMENDMENT

Please delete claims 1 – 8, 11, 19, 20, 22 – 28, 31, 38, 39, 42, 49 – 52, 55, and 62

– 99. Please amend claims 9, 10, 12 – 18 and 21 so that the “clean version” of claims 9,

10, 12 – 18 and 21 are:

*SMB 7*  
9. A cup assembly having an open end, comprising:*a*  
(a) a dual wall cup assembly comprising: (i) an outer cup, consisting of a thermoplastic, with side wall, top and end, the end is closed and sealed by bottom wall and the top is open; (ii) an inner cup, consisting of a thermoplastic, with side wall, top and end, the end is closed and sealed by bottom wall; and (iii) the inner cup is configured to

(b) be receivable within the outer cup to create a sealed gap between side wall of